

REMARKS

In this response, no claims have been amended, added or canceled. Accordingly, claims 1-32 remain pending in the present application. Reconsideration of the above-identified patent application is hereby requested.

REJECTIONS UNDER 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-10 and 14-17 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 1,272,115, issued to Russell. (herein Russell). The Examiner has also rejected claims 19-20 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,757,269, issued to Roth. (herein Roth). Reconsideration and withdrawal of this rejection is requested in view of the following discussion.

It is axiomatic that for a reference to be anticipatory, each and every feature in the claims must be disclosed by the single reference. Russell does not anticipate the features present in the currently pending independent claims to include "a door guide having a channel sized to retain a door slidably therein." Roth also does not anticipate this channel limitation.

With regard to Russell, the Examiner states that Russell discloses "an adjustable door guide latch assembly as claimed; wherein said assembly comprises . . . a door guide (b) having a channel sized to retain a door slidably, said channel

Amendment Dated May 12, 2004  
Reply to Office Action dated  
February 12, 2004

-9-

Appl. No. 10/055,757  
Atty. Docket No. 57111-5103

having an inner surface (generally (8)) . . . ." Applicant respectfully traverses this statement.

Referring to the "plate 5" in FIG. 1 of Russell, which is alleged by the Examiner as the door guide, Applicant notes that there is not "a channel sized to retain a door slidably therein." Russell discloses a "recess 8" in plate 5, which is used to hold a "top plate 6," and does not disclose the claimed limitation. As seen in FIG. 3 of Russell, once top plate 6 is placed in recess 8, the center portion of the recess is filled by top plate 6 and the top surface of the frame and plate 5 is flush. Thus, there is no teaching in Russell that teaches or suggests the claimed channel limitation.

Similarly, with regards to Roth, the recess (w) asserted by the Examiner as being a "channel sized to retain a door slidably therein," is filled and made flush once "striker plate 110" is placed in the recess. See FIG. 3A and FIG. 3B of Roth.

Thus, neither Russell nor Roth includes the channel limitation as the recesses (i.e., recess 8 in Russell and recess W in Roth) would be filled by a plate (i.e., top plate 6 in Russell and strike plate 110 in Roth).

Applicant notes that independent claims 14, 17, and 22 contain the above described channel limitation and dependent claims 2-13, 15-16, and 18-21, by virtue of depending on those independent claims, also contain the same limitation. Therefore

Amendment dated May 12, 2004  
Reply to Office Action dated  
February 12, 2004

-10-

Appl. No. 10/055,757  
Atty. Docket No. 57111-5103

claims 2-13, 15-16, and 18-21 are allowable for the same reasons as discussed above.

In view of the foregoing discussion, Applicant submits that the § 102(b) rejections are overcome. Thus, Applicant respectfully requests that the § 102(b) rejections be withdrawn.

#### REJECTIONS UNDER 35 U.S.C. § 103

The Examiner has rejected claims 11-13 and 18 under 35 U.S.C. § 103 as being unpatentable over Russell, in view of Roth. The Examiner has further rejected claim 21 under 35 U.S.C. § 103 as being unpatentable over Roth. The Examiner has lastly rejected claim 22 under 35 U.S.C. § 103 as being unpatentable over Russell. Applicant respectfully traverses these rejections for the reasons discussed below.

Applicant notes that independent claims 1, 14, 17, and 22 contain the channel limitation described by Applicant with regards to the 35 U.S.C. § 102(b) rejection. Dependent claims 2-13, 15-16, and 18-21, by virtue of depending on these independent claims, also contain the same limitation. As neither Russell or Roth, alone or in combination, teaches or suggests the channel limitation, then claims 2-13, 15-16, and 18-21 are allowable for the same reasons as discussed above.

In view of the foregoing discussion, Applicant submits that the § 103 rejections are overcome. Thus, Applicant respectfully requests that the § 103 rejections be withdrawn.

Amendment Dated May 12, 2004  
Reply to Office Action dated  
February 12, 2004

-11-

Appl. No. 10/055,757  
Atty. Docket No. 57111-5103

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

JEFFER, MANGELS, BUTLER & MARMARO LLP

Dated: May 12, 2004

By: 

George G.C. Tseng, Esq.  
Reg. No. 41,355  
1900 Avenue of the Stars  
Seventh Floor  
Los Angeles, CA 90067-4308  
(310) 203-8080

GCT/kel

Amendment Dated May 12, 2004  
Reply to Office Action dated  
February 12, 2004

-12-

Appl. No. 10/055,757  
Atty. Docket No. 57111-5103

3202195v1